

REMARKS

The Applicants respectfully submit that Figure 4 has been amended.

Serial numbers of cross-related applications were requested. As such, the Applicants have respectfully amended the specification.

Claims 1-14 remain pending in the present application and Claims 15-22 have been added herein.

Claim Rejections - 35 U.S.C. §103

Claims 1-3 and 5-7 were rejected as being allegedly unpatentable over Lane, U.S. Patent No. 5,377,051 (hereinafter Lane) in view of Official Notice. Applicants respectfully traverse.

Independent Claim 1 recites a limitation whereby a preceding frame of an original playback is reconstructed, as claimed. Accordingly, preceding frames are not stored but rather reconstructed. Independent Claim 1 further recites a limitation whereby sufficient memory is utilized to support the reconstruction step, as claimed.

Lane discloses a transmitter having a prioritizer that determines how useful the data is for generating a recognizable and scaleable image during trick play operation and prioritizes the codeword (see Lane, col. 21, lines 46-59). The

video transport packetizer places the video codeword from the prioritizer into video packets (see Lane, col. 22, lines 39-41).

According to Lane, at the receiving end, the VTR recording circuit supports the recording of trick play data (see Lane, col. 37, lines 56-58) where a subset of normal play is recorded for use during trick play operation (see Lane, col. 38, lines 3-5). The trick play data processing circuit selects and processes received packets for recording in fast scan (see Lane, col. 49, lines 21-24). Data filter examines packets, identifies the priority level and stores packets such that images can be played during trick play operation (see Lane, col. 50, lines 1-8 and see Lane, col. 50, lines 60-68). If there is enough trick play space available the data is stored, however, if enough space is not available fewer frames would be stored or a section of each frame would be stored in which case a recognizable picture with jerky motion is created (see Lane, col. 29, lines 6-29).

Accordingly, Lane discloses that trick play data are prioritized and sent. At the receiving end the data filter sorts received packets and stores all or fewer frames based on available trick play space for producing a series of recognizable images during trick playback. Therefore, Lane teaches storing snapshots of received packets which are stored for trick playback whereas independent Claim 1 recites a limitation whereby a preceding frame of an original playback is reconstructed, as claimed.

As discussed above, Lane does not disclose or suggest reconstructing a preceding frame, as claimed. Therefore, Lane could not have additionally disclosed utilizing memory sufficient to support the reconstruction step, as claimed.

The rejection admits that Lane fails to disclose the features of performing reverse playback in a DVD system. In order to cure this defect, the rejection takes Official Notice and states that “the use of DVD (digital versatile disc) type media is well known in the art to store more audio, video, or other data” and that “it would have been obvious to one of ordinary skill in the art at the time of invention was made to modify Lane by utilizing the DVD to take advantage of the higher storage data capability.” The Applicants respectfully disagree. The Applicants understand the two technologies to be different. For example, DVD takes advantage of digital data and may use MPEG-2 decoder whereas video tape recorders are based on analog signals and do not use MPEG-2 decoding techniques.

The Applicants respectfully direct the Examiner to MPEP §2144.03(E), which states that “[i]t is never appropriate to rely solely on common knowledge in the art without evidentiary support in the record as the principal evidence upon which a rejection was based.” Accordingly, the Applicants respectfully invite the Examiner to “provide documentary evidence in the next Office Action if the rejection is to be maintained. See 37 CFR 1.104(c)(2). The Board [or examiner] must point to some concrete evidence in the record in support of these findings

to satisfy the substantial evidence test. If the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding. See 37 CFR 1.104(d)(2).” See MPEP 2100-144.

Accordingly, Applicants respectfully assert that independent Claim 1 is not rendered obvious in view of Lane and Official Notice. Independent Claim 5 recites limitations similar to that of independent Claim 1 and is patentable for similar reasons. Dependent Claims are patentable by virtue of their dependency. As such, allowance of Claims 1-3 and 5-7 is earnestly solicited.

Claims 4 and 8-14 were rejected as being allegedly unpatentable over Lane in view of Official Notice and further in view of Goodwin, U.S. Patent No. 6,532,232 (hereinafter Goodwin). Applicants respectfully traverse.

Independent Claim 9 recites limitations similar to that of independent Claim 1 and is patentable over Lane in view of Official Notice for similar reasons. Independent Claim 9 further recites a limitation whereby a decoding engine receives a signal and reconstructs frame data for a preceding frame, as claimed. Moreover, independent Claim 9 recites a limitation whereby frame buffers store frame data during the reconstructing, as claimed.

Lane discloses that a prioritizer is essential to decoding of a picture (see Lane, col. 27, lines 67-68) and that a priority decoder module is used (see Lane, col. 33, line 35) where the VTR may instruct the video decoder module to do special processing, e.g., during trick play operation (see Lane, col. 35, lines 57-59). As discussed above, Lane teaches storing snapshots of received packets which are stored for trick playback. Accordingly, the video decoder module in Lane performs special processing for storing packet for trick play and not for receiving a signal and reconstructing frame data for a preceding frame, as claimed.

Moreover, the rejection relies on Lane to show frame buffers for storing frame data during the reconstructing, as claimed. Lane, however, discloses a frame buffer that stores data for displaying at the location on the screen (see Lane, col. 39, lines 16-21) and not for storing frame data during the reconstructing, as claimed.

The rejection relies on Goodwin to show a plurality of frame buffers, as claimed. The Applicants, however, do not understand Goodwin to remedy the failures of the combination of Lane and Official Notice as discussed above. Accordingly, the combination of Lane, Goodwin and Official Notice does not render independent Claim 9 obvious. Dependent Claims 10-14 are patentable by virtue of their dependency. As such, allowance of Claims 9-14 is earnestly solicited.

The Applicants do not understand Goodwin to remedy the failures of independent Claims 1 and 5 discussed above. Accordingly, the addition of Goodwin to Lane and Official Notice does not teach or suggest the limitations of dependent Claims 4 and 8. As such, allowance of Claims 4 and 8 is earnestly solicited.

Independent Claims 15 and 19 recite limitations similar to that of independent Claims 1 and 5 respectively and are patentable over the cited combination for similar reasons. Dependent claims are patentable by virtue of their dependency. As such, allowance of Claims 15-22 is earnestly solicited.

For the above reasons, the Applicants request reconsideration and withdrawal of the rejections under 35 U.S.C. §103.


CONCLUSION

In light of the above listed remarks, reconsideration of the rejected Claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-22 overcome the rejections of record and, therefore, allowance of Claims 1-22 is earnestly solicited.

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Respectfully submitted,
WAGNER-MURABITO & HAO LLP

A handwritten signature in black ink, appearing to read "A.A. Tabarrok", is written over a horizontal line.

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